

REMARKS***Introduction***

Receipt of the Office Action mailed November 13, 2006 is acknowledged. No new matter has been added. The claims have been amended to recite a Zn content of from 0.5-0.7 as supported throughout the specification and claims as originally filed, for example, in [0040]. Claims redundant or inconsistent with the present amendment have accordingly been canceled without prejudice or disclaimer.

No new matter has been added. Entry of the amendment and favorable reconsideration are earnestly solicited.

Allowable Subject Matter

The prior indication of allowability of claims 1-21, 25-33, 72-75, 110, 111 was withdrawn in view of JP 02-23644 IA by the Examiner. It is respectfully submitted that in view of the instant amendment to recite a specific Zn content of from 0.5-0.7 in the claims, the newly asserted rejections based on JP '441 are now moot. Allowance of claims 1-21, 25-33, 72-75, 110 and 111, along with the other pending claims should be reinstated.

Specification

The examiner has requested Applicant clarify its stated position that the recitation of “a”, “an” or “the” in a claim, for example, can still cover plural articles. If a claim recites a singular article, then under any definition, at least one of the article would need to be present to meet the limitation of the claim. Thus, by this clear reasoning, two of the article would also meet a claim that requires one of that article. This is merely common sense claim construction. If the Examiner is aware of any contrary authority, please provide the same in the next communication.

Claim Objections

Claim 37 was objected to because the Examiner apparently believed that claim 37, when incorporated into independent claim 36, was a substantial duplicate of instant claim 1. Since claim 1 can cover embodiments that are not covered by claim 37, this objection is believed to be improper. However, since claim 37 was similar in scope to claim 8, claim 37 has been canceled without prejudice or disclaimer. Hence the instant objection should be obviated by the present cancellation of the claim.

Claim Rejections - 35 USC § 103

Claims 36, 38-56, 60-71, 76, 77, 79-96 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Heymes et al (US 6,077,363) in view of Rioja (US 6,562,154).

This rejection is respectfully traversed for the same reasons previously advanced in Applicants' prior response. Namely, the proffered combination of references fails to support a *prima facie* case of obviousness *inter alia*, since there is simply no teaching or suggestion in either reference to employ the claimed 0.5-0.7 Zn range. Indeed, Rioja teaches that up to 1.0% Zn can be included at col. 5, lines 15-22. Applicant does not want to include "up to 1.0%" Zn, but rather, the specific range of 0.5-0.7, which as evidenced by the examples, produces surprising and unexpected results which are critical over the entire claimed range. Reconsideration of this rejection is therefore earnestly solicited.

Claims 1-21, 25-33, 36-56, 60-98, 102-111 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over JP 03-236441A (JP'441) in view of Heymes et al (US 6,077,363). This rejection is respectfully traversed for at least the following reasons.

JP'441 teaches a wrought Al-Cu alloy plate having Zn 1-3% in order to maximize strength while maintaining good ductility and weldability. The instant claims, on the other hand, are directed to compositions having from 0.5-0.7% Zn for wrought products with improved

corrosion resistance and toughness. Therefore, since there is no overlap at all in the claimed Zn range and the Zn range taught by JP '441, this rejection is believed to be improper and should be withdrawn

Conclusion

Applicant believes no fees are due with this submission. However, if any fees are deemed necessary, please charge our Deposit Account No. 11-0553, under Order No. 2901683.10 from which the undersigned is authorized to draw.

Dated: January 18, 2007

Respectfully submitted,

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